



Meeting	Forensic Services Committee
Date	01 Feb 2023
Location	MS Teams
Title of Paper	Regulation, Compliance and Assurance activity of Forensic Services
Presented By	Craig Donnachie, Head of Quality and Assurance
Recommendation to Members	For Discussion
Appendix Attached	Yes – Appendix A and B

PURPOSE

To provide members with oversight relating to the regulation, compliance and assurance activity of Forensic Services and the regulatory outcomes for forensic science in Scotland.

1. Forensic Services accreditation history

- 1.1 The history of forensic science in Scotland can be traced back to the first fingerprint and photographic department, founded by Glasgow City Police in 1931.
- 1.2 The subsequent growth of specialist forensic departments in other Scottish forces followed with the first forensic specialist being employed by Grampian Police in 1960.
- 1.3 DNA casework services were introduced to the Tayside laboratory in 1991, with the Scottish DNA database established in 1996.
- 1.4 The first applicable ISO Standard for testing laboratories was ISO/IEC Guide 25: 1990. This Standard was in place when the Dundee laboratory became the first in Scotland to be accredited, for DNA analysis in July 1998, gaining the accreditation number 1873.
- 1.5 The laboratories in Glasgow, Edinburgh and Aberdeen soon followed in Nov 2001, Oct 2004 and Jul 2005 respectively.
- 1.6 In Jun 2018, Forensic Services achieved UKAS 'multi-site' accreditation, demonstrating that all parts of Forensic Services operate under a single, harmonised management system that meets the requirements of ISO 17025.
- 1.7 Forensic Services chose to maintain the 1873 accreditation number in recognition of the consistent and robust demonstration of the requirements of competence of testing laboratories for twenty years.

2. Regulation, compliance and assurance

- 2.1 The first ISO Standard for testing laboratories ISO/IEC Guide 25: 1990 was very limited in scope and guidance, comprising of 6 pages, this contrasts to the 2017 version of the ISO 17025 Standard at 38 pages.
- 2.2 The Forensic Science Regulator Code of Practice takes the ISO 17025 Standard and provides more detailed application to the requirements of a Management System within a forensic science laboratory and the current consultation draft is around 400 pages.
- 2.3 The increasing complexity of regulatory and compliance documents supporting testing and inspection activity in forensic science provides assurance of Forensic Services results as never before.

- 2.4 Appendix A provides a summary of the main bodies that contribute to Forensic Services regulatory and compliance framework, and which the internal Management System supports compliance and provides assurance.
- 2.5 Similarly, Appendix B highlights the common areas of scrutiny and compliance across this framework, providing assurance to all customers, partners and stakeholders, as well as the public.
- 2.6 Forensic science in Scotland is assured through compliance with this documented regulatory framework, as well as independently assured through assessment and audit by 3rd parties.
- 2.7 This ensures that the technical scientific activity, the Management and governance of Forensic Services, the monitoring and self-assurance activity, the legal and human rights requirements are met and that, where necessary, independent review of process, governance and financial value for money can be demonstrated.
- 2.8 The table below provides an indication of the complex documentary framework within which Forensic Services operates, with differing requirements:

Publishing body	Controlled Documents	Purpose
International Organization for Standardization (ISO) / International Electrotechnical Commission (IEC) Directives	3	Accreditation / Compliance
Forensic Science Regulator	27	Good practice / Accreditation
Forensic Information Databases Service (FINDS)	69	Accreditation
Defence Science and Technology Laboratory (Dstl)	2	Good practice / Accreditation
European Accreditation (EA) documents	5	Supporting documents
Eurachem / CITAC Guides	7	Supporting documents
International Laboratory Accreditation Cooperation (ILAC)	8	Good practice / Accreditation
National Ballistic Intelligence Service (NABIS)	37	Compliance / Accreditation
Scottish Biometrics Commissioner	1	Compliance
Police Scotland / SPA	61	Compliance
United Kingdom Accreditation Service (UKAS)	28	Compliance / Accreditation

Publishing body	Controlled Documents	Purpose
United Nations Office on Drugs and Crime (UNODC)	2	Compliance
Scientific Reference Papers	2796	Reference

3. FINANCIAL IMPLICATIONS

3.1 There are no financial implications in this report.

4. PERSONNEL IMPLICATIONS

4.1 There are no personnel implications in this report.

5. LEGAL IMPLICATIONS

5.1 There are no legal implications in this report.

6. REPUTATIONAL IMPLICATIONS

6.1 There are no reputational implications in this report.

7. SOCIAL IMPLICATIONS

7.1 There are no social implications in this report.

8. COMMUNITY IMPACT

8.1 There are no community implications in this report.

9. EQUALITIES IMPLICATIONS

9.1 There are no equality implications in this report.

10. ENVIRONMENT IMPLICATIONS

10.1 There are no environmental implications in this report.

RECOMMENDATIONS

Members are invited to discuss.

Appendix A

Regulation, Compliance & oversight requirements at Forensic Services SPA						
Review body	ISO/IEC 17025: General requirements for the competence of testing and calibration laboratories	ISO/IEC 17020: Conformity assessment-Requirements for the operation of various types of bodies performing inspection.	Forensic Science Regulator Code of Practice	Scottish Biometric Commissioner Code of Practice	Data Protection Act 2018	Independent Scrutiny
	UKAS			Scottish Biometric Commissioner	Information Commissioner	HMICS
	Specifies the general requirements for the competence, impartiality and consistent operation of laboratories . Laboratory accreditation is the process of assessing and endorsing the quality management and technical competence of testing laboratories in all fields of science and technology .	Contains requirements for the competence of bodies performing inspection and for the impartiality and consistency of their inspection activities . Accreditation provides formal recognition that an inspection service is capable of meeting standards of quality, performance, technical expertise, competence and professional judgement .	The Code of Practice aligns with ISO 17025 and specifies the requirements for a management system for forensic units . The Forensic Science Regulator expects activities to be conducted to the standards set out in the Codes, irrespective of whether the provider is public, police or commercial.	Section 7 of the Scottish Biometrics Commissioner Act 2020 provides that in furtherance of the Commissioner's general function, the Commissioner must prepare , and may from time-to-time revise , a Code of Practice on the acquisition, retention, use and destruction of biometric data for criminal justice and police purposes .	Data protection is about ensuring people can trust the use their data fairly and responsibly . The ICO regulates data protection in the UK. Offering advice and guidance , promote good practice , carry out audits , consider complaints , monitor compliance and take enforcement action where appropriate.	Independent scrutiny of both Police Scotland and the Scottish Police Authority (SPA) , including Forensic Services . HMICS support Police Scotland and the SPA to deliver services that are high quality , continually improving, effective and responsive to local needs .
Standard / Compliance Requirement	- Impartiality / Confidentiality - Personnel - Facilities and environment - Equipment - Metrological traceability - Externally provided products and services - Requests, tenders and contracts - Selection, verification and validation of methods - Sampling - Handling of test items - Technical records - Evaluation of measurement uncertainty - Ensuring the validity of results - Reporting of results - Complaints - Nonconforming work - Control of data and information management - Management system documentation - Control of management system documents - Control of records - Actions to address risks and opportunities - Improvement - Corrective actions - Internal audits - Management reviews	- Impartiality and independence - Confidentiality - Administrative requirements - Organization and management - Personnel - Facilities and equipment - Subcontracting - Inspection methods and procedures - Handling inspection items and samples - Inspection records - Inspection reports and inspection certificates - Complaints and appeals - Complaints and appeals process - Management system documentation - Control of documents - Control of records - Management reviews - Internal audits - Corrective actions - Preventive actions	- Overview of Forensic Science Activities and Requirements - The Code / Legal Basis - Standards of Conduct - Management Requirements - Business Continuity - Independence, Impartiality and Integrity - Confidentiality - Document Control - Requests, Tenders and Contracts - Externally Provided Products and Services - Quality Issues - Control of Records - Internal Audits - Personnel Requirements - Environment - Methods and Validation - Estimation of Uncertainty - Control of Data - Reference Collections / Databases - Equipment - Measurement Traceability - Handling of Items/Exhibits - Assuring the Quality of Results - Reporting the Results - Secondary Case Review - Retention, Recording, Revelation and Disclosure - Demonstration of Compliance	- Background and purpose - Meaning of biometric data in this Code of Practice - Biometric databases, technologies, and samples - The law, human rights and data protection - General guiding principles and ethical considerations - Process for adopting new biometric technologies - Monitoring and reporting on the Code of Practice - Compliance with the Code of Practice	- CHAPTER I General provisions - CHAPTER II Principles - CHAPTER III Rights of the data subject - CHAPTER IV Controller and processor - CHAPTER V Transfers of personal data to third countries or international organisations - CHAPTER VI The Commissioner - Section 1 Independent status - Section 2 Tasks and powers - CHAPTER VII Cooperation and consistency - CHAPTER VIII Remedies, liability and penalties - CHAPTER IX Provisions relating to specific processing situations - CHAPTER X Delegated acts and implementing acts - CHAPTER XI Final provisions	Audit Scotland provides independent assurance to the people of Scotland that public money is spent properly, efficiently and effectively . They support public scrutiny that is fair, equal and open , and that leads to better financial management and value for money. Annual audit reports are published for all public bodies they are responsible for auditing.
						Audit Scotland (External Audit) BDO LLP (Internal audit) The Authority appoints a suitably experienced and qualified Contractor , in line with the Public Sector Internal Audit Standards (PSIAS) for the provision of Internal Audit Services . The Internal Auditor may also undertake other work for the Authority, including additional ad hoc audit or assurance work within the framework of the contract but outside of the agreed annual internal audit plan.

Appendix B

Regulation, Compliance & oversight requirements at Forensic Services SPA							
	ISO/IEC 17025: General requirements for the competence of testing and calibration laboratories	ISO/IEC 17020: Conformity assessment- Requirements for the operation of various types of bodies performing inspection	Forensic Science Regulator Code of Practice	Scottish Biometric Commissioner Code of Practice	Data Protection Act 2018	Independent Scrutiny (HMICS / Internal / External audit)	Scottish Police Authority / Police Scotland
Impartiality / Confidentiality / Integrity	✓	✓	✓	✓	✓	✓	✓
Administrative / Organisation / Management	✓	✓	✓	✓		✓	✓
Personnel	✓	✓	✓			✓	✓
Business Continuity			✓			✓	✓
Facilities / Environment / Equipment	✓	✓	✓			✓	✓
Metrological traceability	✓	✓	✓				
Externally provided products and services	✓		✓			✓	✓
Requests, tenders and contracts / Subcontracting	✓	✓	✓			✓	✓
Verification and validation of methods	✓	✓	✓	✓			
Sampling	✓	✓					
Handling of test / inspection items	✓	✓	✓			✓	✓
Technical / inspection records	✓	✓		✓	✓	✓	✓
Evaluation of measurement uncertainty	✓		✓				
Ensuring the validity of results	✓	✓	✓	✓			
Reporting of results	✓	✓	✓	✓	✓	✓	
Complaints	✓	✓	✓	✓	✓	✓	✓
Nonconforming work	✓	✓	✓	✓		✓	
Control of data and information management	✓	✓	✓	✓	✓	✓	✓
Reference Collections / Databases			✓	✓	✓	✓	✓
Management system documentation	✓	✓	✓	✓	✓	✓	
Control of management system documents/ records	✓	✓	✓	✓	✓	✓	✓
Actions to address risks and opportunities	✓			✓	✓	✓	✓
Improvement	✓	✓		✓	✓	✓	
Corrective / Preventive actions	✓	✓		✓		✓	
Internal audits	✓	✓	✓	✓	✓	✓	✓
Management reviews	✓	✓					